PATENT APPLICATION

In the application of

H. Lee MARTIN et al.

Serial No: 08/887,319

Filed: July 2, 1997

Group Art Unit: 2614

Examiner: M. Lee

Att'y. Docket: 01096.09901

For: OMNIVIEW MOTIONLESS CAMERA ORIENTATION SYSTEM

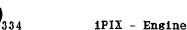
DECLARATION PURSUANT TO 37 C.F.R. 1.131

The Honorable Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

I, Steven D. Zimmerman, declare as follows:

- I am a joint inventor of the Omniview Motionless Camera Orientation System described in U.S. Patent Application 08/887,319.
- Prior to and during May 1990 I was an associate at TeleRobotics International
 of Knoxville, Tennessee and was engaged in the design and development of a
 system for omnidirectional image viewing (hereinafter, the "project").
- 3. Exhibit A is a SBIR proposal for the National Aeronautics and Space Administration. The SBIR proposal was prepared prior to May 16, 1990, the publication date of the Japanese laid-Open Reference No. 2-127877, referred to by the Examiner in his January 2, 2001 Office Action as the Kurahashi reference. As shown on page 20 and 21 of Exhibit A, during phase 1 of the proposal a theoretical analysis was performed to develop a mapping algorithm to map a fisheye image into an undistorted object plane representation for use



with digital electronics. The resulting algorithm was validated experimentally in phase I. As described on page 20 of Exhibit A, the phase II proposal was concerned with a hardware implementation of an electro-optical pan/tilt/zoom camera system for remote viewing. The hardware implementation was to eliminate mechanical components and motion sensing devices.

- 4. The publication date of the Kurahashi reference, May 16, 1990, is less than one year prior to the filing date of the parent application (Serial No. 07/699,366, filed May 13, 1991, now U.S. Patent 5,185,667) from which U.S. Patent Application 08/887,319 depends.
- 5. Exhibit A shows conception of the elements of the claims as follows and the elements of the claims can be found in U.S. Patent 5,185,667 as follows:

| Claim 1 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--|--|
| A signal processor for converting digital images for use in an imaging system, comprising: | Page 46, DSP in FIG. 5 | Items 6 and 7 of FIG. 1 and column 3, lines 32-35 |
| a digital data memory adapted for storing digital data representing an image having the properties of a circular field-of-view and objects in the field-of view being substantially in focus, | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 13-17 |
| a control input for receiving a signal representing a selection of a portion of the image, wherein said selection ranges across said field of view, and | Pages 47 and 51 | FIG. 1 and column 4, lines 10-21 |
| a converter, responsive to said control input, for converting stored digital | | Column 3, lines 32-46 and column 4, lines 48-53 |



| data in said digital data | |
|---------------------------|--|
| memory representing a | |
| planar image for display. | |
| planta image for display. | |

| Claim 2 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A signal processor as recited in claim 1, said converter utilizing an orthogonal set of transformation algorithms. | Pages 39-41 | Column 2, lines 51-54 |

| Claim 3 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A signal processor as recited in claim 1, said converter continuously converting at the rate of a television signal. | Page 41, lines 23-25 | Column 4, lines 44-47 |

| Claim 4 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--|--------------------------------------|
| A signal processor as recited in claim 1, said control input for receiving signals representing zenith and azimuth angles of the selected image portion. | Pages 6 and 39-40. Page 51, lines 34-37. | Column 8, lines 5-8 |



| Claim 5 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|---|--|
| A signal processor as recited in claim 1, said input for receiving a plurality of signals and said | Pages 6 and 39-40. Page 51, lines 34-37. | Column 8, lines 5-8. |
| converter for converting stored digital data in said digital data memory representing each selected portion to digital data representing corresponding perspective-corrected images. | Page 53 (Algorithm Processor Block) and page 46 (FIG. 5). | Column 3, lines 32-43 and column 4, lines 48-53. |

| Claim 6 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| A signal processor as recited in claim 1, wherein said image is received from a fisheye lens. | Page 6 | Item 1 in FIG. 1. |

| Claim 7 recitation | Where found in Exhibit A | Where found in U.S. |
|--|--------------------------|-----------------------|
| | | Patent 5,185,667 |
| recited in claim 3, wherein said rate is at least thirty | Page 41, lines 23-25 | Column 4, lines 44-47 |
| images per second. | | |

| Claim 8 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|---|
| A signal processor as recited in claim 4, said input for further receiving signals representing an object plane rotation angle. | Pages 6 and 39-40. | Column 8, lines 5-8 |



| Claim 9 recitation | Where found in Exhibit A | Where found in Patent 5,185,667 | U.S. |
|---|--------------------------|---------------------------------|------|
| A signal processor as recited in claim 4, said input for further receiving signals representing a level of magnification. | Pages 6 and 39-40. | Column 8, lines 5-8 | |

| Claim 10 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A signal processor as recited in claim 1, wherein said image is received from a wide angle lens. | Page 6 | Item 1 in FIG. 1. |

| Claim 11 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--|--|
| A method of converting a digital image for use in an imaging system comprising the steps of: | Pages 20 and 39-41 | Column 2, lines 36-59 |
| storing digital data representing an image having the properties of a circular field-of-view and objects in the field-of-view being substantially in focus, | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 13-17 |
| selecting a portion of said image, wherein said selecting step selects said portion across said field- of-view, | Pages 47 and 51 | FIG. 1 and column 4, lines 10-21 |
| converting stored digital data representing the selected portion into digital data representing a perspective-corrected image for display. | . • | Column 3, lines 32-43 and column 4, lines 48-53 |



| Claim 12 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| A method as recited in claim 11 wherein said converting step utilizes an orthogonal set of transformation algorithms. | Pages 39-41 | Column 2, lines 51-54 |

| Claim 13 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| A method as recited in claim 11, wherein said converting step is repeated at the rate of a television signal. | Page 41, lines 23-25 | Column 4, lines 44-47 |

| Claim 14 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--|--|
| A method as recited in claim 11, wherein said selecting step comprises the step of selecting at least a zenith angle representing the selected image portion. | Pages 6 and 39-40. Page 51, lines 34-37. | Column 8, lines 5-8 |
| Claim 15 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
| A method as recited in claim 11 wherein said selecting step comprises the step of selecting a plurality of portions of said image, and said converting step comprises the step of converting stored digital data representing each of said selected portions to digital data representing corresponding perspective-corrected images. | Pages 6 and 43-44. | Column 2, lines 22-24. Column 3, lines 38-46. Column 8, lines 5-8. |



| Claim 16 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A method as recited in claim 11, wherein said rate is at least thirty images per second. | Page 41, lines 23-25 | Column 4, lines 44-47 |

| Claim 17 recitation | Where found in U.S. Patent 5,185,667 |
|--|--|
| A method as recited in claim 11, wherein said image is received from a fisheye lens. | Item 1 in FIG. 1. |

| Claim 18 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A method as recited in claim 13 wherein said selecting step further comprises selecting an object plane angle of rotation. | Pages 6 and 39-40. | Column 8, lines 5-8 |

| Claim 19 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| A method as recited in claim 13 wherein said selecting step further comprises the step of selecting a degree of magnification. | Pages 6 and 39-40. | Column 8, lines 5-8 |

| Claim 20 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|---|
| A method as recited in claim 11 wherein said image is received from a wide angle lens. | | Item 1 in FIG. 1. |



| Claim 21 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--|--|
| A method of converting a digital image for use in an imaging system comprising the steps of: | Pages 20 and 39-41 | Column 2, lines 36-59 |
| storing digital data representing a partial spherical image; and | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 13-17 |
| spherical image into digital data representing a perspective-corrected view | Page 53 (Algorithm Processor Block) and page 46 (FIG. 5) | Column 3, lines 32-43 and column 4, lines 48-53 |
| for display, wherein said selected portion is chosen across said field-of-view. | Pages 47 and 51 | FIG. 1 and column 4, lines 10-21 |

| Claim 22 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|---|--|
| A signal processor for converting digital images for use in an imaging system, comprising: | Page 46, DSP in FIG. 5 | Items 6 and 7 of FIG. 1 and column 3, lines 32-35 |
| a digital data memory for storing digital data representing an image having the properties of a circular field-of-view and objects in the field-of view being substantially in focus, | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 13-17 |
| a control input for receiving a signal representing a selected viewing angle, wherein said viewing angle is chosen from the angles varying across said field-of-view, and | Pages 47 and 51 | FIG. 1, column 4, lines 10- 21 and column 3, lines 39- 43 |
| a converter, responsive to said control input, for processing the stored digital data according to | (Algorithm Processor Block) and page 46 (FIG. | Column 3, lines 32-43 and column 4, lines 48-53; FIG. 1 and column 4, lines 10-21; |



| the selected viewing angle | Column 8, lines 5-7 |
|----------------------------|---|
| and outputting a | , |
| perspective-corrected | i i |
| image for display. | |
| | |

| Claim 23 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|---|
| A method of converting digital images for use in an imaging system comprising the steps of: | Pages 20 and 39-41 | Column 2, lines 36-59 |
| storing digital data representing an image having the properties of a circular field-of-view and objects in the field-of-view being substantially in focus, | well known that the | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 9-17 |
| selecting a viewing angle, wherein said viewing angle is chosen from the angles varying across said field-of-view, and | | FIG. 1, column 4, lines 10- 21 and column 3, lines 39- 43 |
| processing, responsive to the selected viewing angle, the stored digital data according to the selected viewing angle and to output a perspective- corrected image for display. | Pages 46, 53 and 54 | Column 3, lines 39-48 |

| Claim 24 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|-----------------------------|--|
| A signal processor for use in an imaging system, comprising: | Page 46, DSP in FIG. 5 | Items 6 and 7 of FIG. 1 and column 3, lines 32-35 |
| · • | perfect fisheye lens has an | FIG. 1, column 3, lines 39-43 and column 4, lines 10-21; Column 5, lines 13-17 |



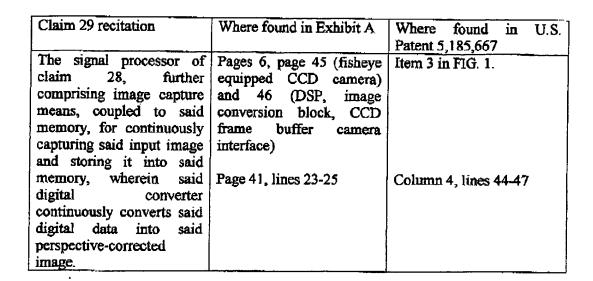
| being substantially in focus, wherein said selection is chosen across said field-of-view, and | | |
|---|--|--|
| a converter, responsive to the control input, for converting stored digital data representing the selected portion to digital data representing a perspective-corrected image for display. | Page 53 (Algorithm Processor Block) and page 46 (FIG. 5) | |

| Claim 25 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|---|---|
| A memory for a signal processor, comprising | Pages 40 and 41 | |
| a data structure, responsive to a control input representing a selection of a portion of an image stored in said memory, wherein said selection is chosen across said field of view, said data structure representing an orthogonal set of transformation algorithms; and | Page 53 (Algorithm Processor Block) and page | See Equations 1-19 at columns 5 through 7 |
| a buffer memory adapted to store digital image data for transformation. | Page 41 | See item 4 in Fig. 1 and column 3, lines 30-32. |

| Claim 27 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|---|
| A memory for a signal processor, comprising | Pages 40 and 41 | |
| a data structure, responsive to a control input representing a selection of a portion of an image, said data structure representing an orthogonal set of transformation algorithms. | | See Equations 1-19 at columns 5 through 7 |

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| e found in Exhibit A | Where found in U.S. Patent 5,185,667 |
| 46, DSP in FIG. 5 | Items 6 and 7 of FIG. 1 and column 3, lines 32-35 |
| | Item 4 in Fig. 1, column 3, lines 30-31 and column 5, lines 13-17. |
| 47 and 51 | FIG. 1 and column 4, lines 10-21 |
| ssor Block) and page | Column 3, lines 32-48 and column 4, lines 48-53 |
| | e found in Exhibit A 46, DSP in FIG. 5 45 and 46 (FIG. 5, Frame Buffer) 47 and 51 53 (Algorithm stor Block) and page G. 5) |



| Claim 30 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The signal processor of claim 29, wherein said image capture means comprises a fish-eye lens. | Page 6 | Item 1 in FIG. 1. |

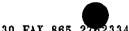
| Claim 31 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---------------------|--------------------------|--------------------------------------|
| | compressed data hold | Item 9 of FIG. 1 |



| Claim 38 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| A method for displaying a portion of an image, the image having a field of view greater than or equal to 180 degrees, the method comprising the steps of: | Pages 39-40 | Abstract and column 2, lines 36-59. |
| capturing digital data representing at least some of the image; | Pages 45-46 | Column 3, lines 28-32. |
| receiving an input of at least one selected portion of the at least some of the digital data; and | Page 54 | Column 2, lines 48-59. |
| converting the at least one selected portion to a perspective corrected image in real-time in response to and based on information included in the input. | Pages 44 and 53-54 | Column 3, lines 37-48. |

| Claim 39 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| The method as recited in claim 38, wherein the input is a designation of a | Pages 6 and 39-40. | Column 8, lines 5-8 |
| magnification. | | |

| Claim 40 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| The method as recited in claim 39, wherein the input is a designation of a | | Column 3, lines 39-43 |
| viewing angle. | | |



| Claim 41 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The method as recited in claim 40, the input is a sequential set of inputs. | | Column 3, lines 39-43 |

| Claim 42 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The method as recited in claim 40, the input is a sequential set of inputs from a joystick. | Page 6 | Column 3, lines 39-43. |

| Claim 43 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The method as recited in claim 40, the input is a sequential set of inputs from a computer. | Page 54 | Column 3, lines 39-43. |

| Claim 44 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The method as recited in claim 38, the image having properties of a circular field-of view. | | Item 1 (fisheye lens) FIG. 1 |

| Claim 45 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---------------------|---|--------------------------------------|
| | Page 39, lines 13-16 (fisheye circular image); Page 21, lines 17-19. | |



| Claim 46 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| Apparatus for displaying a portion of an image, the image having a field of view greater than or equal to 180 degrees, the apparatus comprising: | | Abstract and column 2, lines 36-59. |
| image capturing means for capturing digital data representing at least some of the image; | Pages 45-46 | Column 3, lines 28-32. |
| input means for receiving an input of at least one selected portion of the at least some of the digital data; and | Page 54 | Column 2, lines 48-59. |
| converter means for converting the at least one selected portion to a perspective corrected image in real-time in response to and based on information included in the input. | Pages 44 and 53-54 | Column 3, lines 37-48. |

| Claim 47 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--------------------------|--------------------------------------|
| Apparatus for displaying a portion of an image, the image having a field of view greater than or equal to 180 degrees, the apparatus comprising: | Pages 39-40 | Abstract and column 2, lines 36-59. |
| a lens for capturing digital data representing at least some of the image; | Page 6 | Item 1 in FIG. 1 |
| a joystick for inputting at least one selected portion of the at least some of the | Page 6 | Column 3, lines 39-43. |



| digital data; and | | |
|--|--------------------|------------------------|
| a converter for converting the at least one selected portion to a perspective corrected image in real- time in response to and based on information included in the input. | Pages 44 and 53-54 | Column 3, lines 37-48. |

| Claim 48 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|--|--|--|
| A method for obtaining a wide-angle image, the wide angle image having a field of view greater than 180 degrees, the method comprising the steps of: | Page 5 | Abstract and column 2, lines 36-59. |
| capturing the wide-angle image; | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-32, and column 5, lines 13-17 |
| storing the wide-angle image in a format for subsequent display, said format being capable of transformation from said wide-angle image to a perspective-corrected image in real-time responsive to and based on information included in an input. | | Image buffer 4 of FIG. 1, column 3, lines 30-43. |

| Claim 49 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--|--|
| Apparatus for providing a wide-angle image, the wide angle image having a field of view greater than or equal to 180 degrees, the apparatus comprising: | Page 38 | Abstract and column 2, lines 36-59. |
| a lens for capturing the wide-angle image; | Page 6 | Item 1 in FIG. 1 |
| a memory for storing the wide-angle image in a format for subsequent display, said format being capable of transformation from said wide-angle image to a perspective-corrected image in real time responsive to and based on information included in an input. | Pages 45 and 46 (FIG. 5, CCD Frame Buffer) | Image buffer 4 of FIG. 1, column 3, lines 30-43. |

| Claim 50 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The signal processor of claim 1, wherein the control input provides input information regarding a desired level of magnification. | Pages 6 and 39-40. | Column 8, lines 5-8 |

| Claim 51 recitation | Where found in Exhibit A | Where found in U.S. Patent 5,185,667 |
|---|--------------------------|--------------------------------------|
| The signal processor of claim 1, wherein the control input provides input information regarding an orientation angle. | Pages 6 and 39-40. | Column 8, lines 5-8 |

- 6. Attached as Exhibit B are monthly Status Reports, which I drafted, showing the progress made on the Omniview Motionless Camera Orientation System. The Status Reports show the progress that was made from May, 1990, the month that the Kurahashi reference was published, until May, 1991, the month that U.S. Patent 5,185,667 was filed in the U.S. Patent and Trademark Office.
- 7. The present application contains at least all of the disclosure of priority application U.S. Patent 5,185,667. Therefore, the present application provides support for the above claims.
- 8. The statements made herein are of my own knowledge and all statements made on information and belief and are believed to be true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Steven D. Zimmerman

Date 8.13.0/

ATTACHMENTS

- 1) Exhibit A SBIR Proposal Materials
- 2) Exhibit B Status Reports
- 3) Copy of U.S. Patent 5,185,667